

# Proposed Open Air Vending/Transient Sales Lot Use and Mobile Food Vendor License Update Amendment

TXT-44483 - TEXT AMENDMENT - APPLICANT/OWNER: CITY OF LAS VEGAS - For possible action to amend various provisions of the Municipal Code of the City of Las Vegas to update various regulations regarding mobile food vendors, open air vending and transient sales lots to address their impacts on streets and surrounding activities and properties.

## Contents:

- Summary of the proposed changes
- Draft of the proposed ordinance

## Please note:

**[abc]**

bracketed text reflects a deletion

**abc**

underlined text reflects an addition

Where language indicates that a new Code section is to be added, all provisions in that section are new, although in some cases it is just a replacement for language repealed in a previous section of the ordinance amendment.

**Summary: TXT-44483 (LVMC 6.55 and LVMC 19.12 – Open Air Vending / Transient Sales Lot Use and Mobile Food Vendor Licensing Update)**

<b>Code Requirement</b>	<b>Existing Regulation</b>	<b>Proposed Regulation</b>
<b>6.06.080 Suitability Approval – Application Completion – Identification and Release Requirements</b>	Subsection (C) identifies the license categories for which an applicant is subject to fingerprinting checks through the FBI and other background checks	Modifies the categories list as follows: <ul style="list-style-type: none"> <li>Removes “Mobile Food Vendor”</li> </ul>
<b>6.55.010 Definitions</b>	Defines various terms specific to the Mobile Food Vendor license category, including a brief definition of a “vehicle”	Provides greater specificity as to what a vehicle is by adding language related to trailers or portable units
<b>6.55.020 License and Work Card Required</b>	Makes it illegal for a person to operate a mobile food vendor business within the City without a license, to violate any provision of the chapter or to vend without a valid work card	Deletes Subsection (C) which requires a valid work card
<b>6.55.040 License – Application</b>	Outlines the requirements for the application for a license and includes a requirement for a suitability review pursuant to LVMC Chapter 6.06	<ul style="list-style-type: none"> <li>Deletes Subsection (B) which requires a suitability review and approval by Metro for each principle of the mobile food vendor business</li> <li>Re-organizes the Section</li> </ul>
<b>6.55.050 Work Card – Investigation by Metro</b>	Requires that anyone who will be selling from or driving a mobile food vending vehicle to have a work card from Metro pursuant to the provisions of LVMC Chapter 6.86	<ul style="list-style-type: none"> <li>Existing Section deleted</li> <li>New Section added related to compliance with Health District regulations and display of Health District permits</li> </ul>
<b>6.55.060 Work Card - Exhibition</b>	Requires the exhibition of the work card required by the Chapter to any person who requests to see it	Deleted
<b>6.55.070 Location Restrictions</b>	Outlines location restrictions that indicate: <ul style="list-style-type: none"> <li>No vendor has an exclusive right to any location on any street, sidewalk, alley or public grounds;</li> <li>No vending is allowed in any congested area where the operation might impede pedestrians or vehicle traffic; and</li> <li>Full compliance with all applicable Health District regulations</li> <li>An exception is made to the location provisions if and to the extent contracted by or with the City</li> </ul>	Deletes Subsection (C) which requires compliance with all applicable Health District regulations (context of requirements shifted to new Section 50)
<b>6.55.090 School Proximity – Hours - Alcohol</b>	Makes it illegal to: <ul style="list-style-type: none"> <li>Vend or park a food truck within 1,000 feet of a school during the school day until 1 hour after final bell</li> <li>Vend any earlier than 10am or 7pm (or ½ hour after sunset unless at a construction site or business location</li> <li>Consume alcoholic beverages while vending</li> </ul>	<ul style="list-style-type: none"> <li>Clarifies the hours of operation limitations in proximity to a school as follows: <ul style="list-style-type: none"> <li>Not when school is in session</li> <li>Not for the one-hour period before the 1<sup>st</sup> session of the day</li> <li>Not for the one-hour period after the last session of the day</li> </ul> </li> <li>Deletes Subsection (B) which limits hours of operation in areas other than school areas</li> </ul>

	<ul style="list-style-type: none"> <li>• Vend within 1,000 feet of a licensed concession stand located within a city park when the concession stand is open, unless contract with the city</li> </ul>	<ul style="list-style-type: none"> <li>• Adds limitations on vending within residential neighborhoods</li> <li>• Adds limitations on vending with 150 feet of the entrance to a licensed restaurant</li> <li>• Adds limitations and restrictions related to use of the ROW for vending purposes</li> </ul>
<b>6.55.100 License Fee</b>	Requires a license fee of \$100 dollars paid in advance each year	Makes the license fee semi-annual and based on the gross sales of the mobile food vending business as gross sales licenses are provided for in LVMC 6.04.005
<b>13.32.010 Vending stands, machines and wagons</b>	Indicates that it is unlawful for any person to occupy any part of any street, sidewalk within the City for the purpose of maintaining a newsstand, drinking stand, popcorn stand, weighing machine, automatic vending machine, sandwich wagon, or any stand for the sale of notions or any other article of goods, wares, or merchandise, or any similar obstructions except that newsracks may be permitted as provided for in Chapter 13.24	<ul style="list-style-type: none"> <li>• Adds new Subsection that allows for ice cream trucks and mobile food vendors to vend within the public ROW in accordance with the applicable provisions of 6.47 and 6.55</li> <li>• Adds new Subsection that allows other types of vending within the public ROW if approved as part of a Special Events Permit per Chapter 12.02</li> <li>• Adds new Subsection that allows approved vending activities within public parks and other public grounds if approved by permit, license, or contract</li> </ul>
<b>19.12.010 Table 2 – Permitted Uses</b>	“Open Air Vending/Transient Sales Lot” use is indicated as a conditional use in the C-1, C-2, C-M, and M	Makes the use conditional in the O district where it was previously not permitted
<b>19.12.070 Permissible Use Descriptions, and Applicable Conditions and Requirements</b>	<ul style="list-style-type: none"> <li>• “Open Air Vending/Transient Sales Lot” use is described as an area for the sale or taking of orders for merchandise that is displayed or sold in the open, that isn’t a part of the operation for an established business and has no permanent structure as an integral part of the sales or order taking operation.</li> <li>• Conditional Use Regulations include requirements for: <ul style="list-style-type: none"> <li>○ No signage, except for signage on the vehicle or cart that is affixed to it</li> <li>○ Keeping the site free of any litter or debris and</li> <li>○ No structures shall be allowed within the ROW</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>• Amends the description of the use to include food items, allow for such a lot or area to be used either on a regular or periodic basis and eliminates the provision in the description that the activity could not be part of the operation of an establish business. It also indicates that the display and sale of merchandise is by means of Open Air Vending and Mobile Food Vending. Creates three sub-categories of this use:</li> <li>• Adds Conditional Use Regulations related to the installation of tables or chairs; location of the vehicle related to required parking spaces and loading zones; requires a separation to residential development of at least 50 feet to the use; provides distinct requirements for each of the two distinctions – Open Air Vending and Mobile Food Vending and provides standards relative to setting up on unpaved lots.</li> </ul>
<b>19.18.020 Words and Terms Defined</b>	“Open Air Vending/Transient Sales Lot” use is defined as an area for the sale or taking of orders for merchandise that is displayed or sold in the open, that isn’t a part of the operation for an established business and has no permanent structure as an integral part of the sales or order taking operation.	Adds definitions for Mobile Food Vending and Open Air Vending Modifies the definition of Open Air Vending/Transient Sales Lot to correspond to changes made to the description of the use in Chapter 19.12

AN ORDINANCE RELATING TO MOBILE FOOD VENDORS, OPEN AIR VENDING, AND TRANSIENT SALES LOTS; UPDATING APPLICABLE LICENSING, ZONING AND OTHER REGULATIONS REGARDING SUCH OPERATIONS TO ADDRESS THEIR IMPACTS ON STREETS AND SURROUNDING ACTIVITIES AND PROPERTIES; AND PROVIDING FOR OTHER RELATED MATTERS.

Sponsored by: Mayor Carolyn G. Goodman

Summary: Updates various regulations regarding mobile food vendors, open air vending and transient sales lots to address their impacts on streets and surrounding activities and properties.

THE CITY COUNCIL OF THE CITY OF LAS VEGAS DOES HEREBY ORDAIN  
AS FOLLOWS:

SECTION 1: Title 6, Chapter 55, Section 10, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

**6.55.010:** As used in this Chapter, unless the context otherwise requires, the following terms shall have the meanings which are ascribed to them, as follows:

“Employee” means a person who works for or under the direction of, on behalf of, or as an agent of a licensee.

“Health District” means the Southern Nevada Health District.

“Mobile food vendor” means a person who offers for sale or sells food items by means of a vehicle.

“Licensee” means the holder of an mobile food vendor business license issued by the Department.

“Metro” means the Las Vegas Metropolitan Police Department.

“Vehicle” means a motorized vehicle[.], as well as a trailer or other portable unit that is drawn by a motorized vehicle and is intended for use in vending.

“Vend” means to sell or offer to sell food products from a vehicle.

SECTION 2: Title 6, Chapter 55, Section 20, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

**6.55.020:** Except as otherwise provided in this Chapter, it is unlawful for a person to:

1 (A) Operate as a mobile food vendor within the City without a license issued  
2 pursuant to this Chapter; or

3 (B) Operate as a mobile food vendor within the City in violation of this Chapter.];  
4 or

5 (C) Vend without a valid work card issued pursuant to LVMC Chapter 6.86.]

6 SECTION 3: Title 6, Chapter 55, Section 40, of the Municipal Code of the City of  
7 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

8 **6.55.040:** [(A)] An application for a mobile food vendor license must be made upon forms  
9 provided by the Department. In addition to the information required under LVMC Chapter 6.02, the  
10 applicant shall provide the following:

11 [(1)] (A) A description of the selling methods to be used and the nature of the  
12 products or services to be offered;

13 [(2)] (B) Proof of filing with the State of Nevada Department of Taxation;

14 [(3)] (C) A health permit for each vehicle, documentation that the vehicle is  
15 eligible for such permit, and a health card for each operator (all issued by the Health District);

16 [(4)] (D) A copy of a valid, unexpired Nevada vehicle registration, if applicable,  
17 for each vehicle; and

18 [(5)] (E) Such other information or documentation as the Department may require  
19 in order to establish the applicant's suitability and fitness for approval.

20 [(B)] In order to obtain a mobile food vendor license, each principal of the business  
21 must apply for and obtain approval for suitability in accordance with LVMC Chapter 6.06, subject to  
22 the payment of the applicable fees.]

23 SECTION 4: Title 6, Chapter 55, Sections 50 and 60, of the Municipal Code of the  
24 City of Las Vegas, Nevada, 1983 Edition, are hereby repealed in their entirety.

25 SECTION 5: Title 6, Chapter 55, of the Municipal Code of the City of Las Vegas,  
26 Nevada, 1983 Edition, is hereby amended by adding thereto a new section, designated as Section 50,  
27 reading as follows:

28 **6.55.050:** Each mobile food vendor shall:

- 1 (A) Comply with all applicable Health District regulations.
- 2 (B) Prominently display all health permits issued to the vendor by the Health
- 3 District.

4 SECTION 6: Title 6, Chapter 55, Section 70, of the Municipal Code of the City of

5 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

6 **6.55.070:** (A) Except as otherwise provided in Subsection (B) of this Section, no mobile food

7 vendor shall:

8 (1) Have any exclusive right to any location upon the streets, sidewalks,

9 alleys, or public grounds of the City; or

10 (2) Vend in any congested area where the operation will impede pedestrian

11 or vehicle traffic.

12 (B) The provisions of Subsection (A) of this Section do not apply to the operation

13 of a mobile food vendor at a particular location if and to the extent the vendor is operating at that

14 location pursuant to a contractual arrangement with the City.

15 [(C) Mobile food vendors shall comply with all applicable Health District

16 regulations.]

17 SECTION 7: Title 6, Chapter 55, Section 90, of the Municipal Code of the City of

18 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

19 **6.55.090:** It is unlawful for any mobile food vendor to:

20 (A) Vend or park a vehicle to be used for vending within one thousand feet of the

21 outside perimeter of school property; [during the hours that a school is in session or within one hour

22 after the final session of the school has closed;]

23 (1) During the hours the school is in session;

24 (2) During the one-hour period preceding the start of the first session of the

25 day; or

26 (3) During the one-hour period after the final session has ended;

27 (B) [Vend earlier than ten a.m., nor later than seven p.m. or one-half hour after

28 sunset, whichever occurs first; provided, however, that the provisions of this Subsection do not apply

1 to any mobile food vendor while it is vending at a bona fide construction job or a commercial place  
2 of business;

3 (C) Consume alcoholic beverages while vending; [or]

4 [(D)] (C) Vend within one thousand feet of a licensed concession stand located within  
5 a City park when the concession stand is open for business, unless otherwise permitted under a  
6 contractual arrangement with the City regarding a specific location[.];

7 (D) Vend in any residential neighborhood unless the vendor is operating:

8 (1) As a caterer for a specific event at a specific location; or

9 (2) At a location concerning which such vending has been specifically  
10 approved by means of a special event permit issued pursuant to LVMC Chapter 12.02;

11 (E) Vend within one hundred fifty feet of the primary public entrance of a licensed  
12 restaurant during the hours the restaurant is open for business, unless the vendor:

13 (1) Is located on the same premises as the licensed restaurant; and

14 (2) Is operating either on behalf of or with the consent of the restaurant  
15 licensee;

16 (F) Operate or park a vehicle to be used in vending in violation of applicable traffic  
17 and parking laws and ordinances;

18 (G) Vend within fire lanes or at other locations where to do so would be in violation  
19 of parking prohibitions or limitations;

20 (H) Vend at the same location within the public right-of-way for more than thirty  
21 consecutive minutes. For purposes of this prohibition, the “same location” means a particular vending  
22 location and any location within a distance of one hundred fifty feet from that location;

23 (I) Vend within designated loading zones, except as permitted by means of a  
24 special event permit issued pursuant to LVMC Chapter 16.02;

25 (J) Place tables, chairs or similar items in the public right-of-way in connection  
26 with a vending operation;

27 (K) Vend on any one parcel, lot or commercial subdivision for more than four hours  
28 within any twenty-four hour period;

1           (L)    Vend on undeveloped lots, or developed lots with unoccupied structures or  
2 unpaved surfaces, unless such vending complies with all applicable air quality standards adopted by  
3 the Clark County Department of Air Quality and Environmental Management;

4           (M)    Vend on any unpaved lot where the disturbance area (including vehicles,  
5 parking and customer areas) exceeds five thousand square feet, regardless of overall lot size, unless  
6 a greater disturbance area is approved in connection with a dust mitigation permit from the Clark  
7 County Department of Air Quality and Environmental Management; or

8           (N)    In the case of a mobile food vendor who sells from a trailer or other portable  
9 unit drawn by a motorized vehicle, disconnect the trailer or unit from the motorized vehicle (except  
10 in the case of an emergency).

11                 SECTION 8: Title 6, Chapter 55, Section 100, of the Municipal Code of the City of  
12 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

13 **6.55.100:**     Each mobile food vendor shall pay, in advance, [an annual fee of one hundred dollars  
14 for each vehicle used for vending.] a semiannual fee based on gross sales as specified in LVMC  
15 6.04.005.

16                 SECTION 9: Title 6, Chapter 6, Section 80, of the Municipal Code of the City of Las  
17 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

18 **6.06.080:**     (A)    The application must be signed and verified by the applicant under oath.

19                 (B)    The applicant shall submit to fingerprinting and photographing, shall authorize  
20 the City in writing to obtain information from the past and present employers, criminal justice  
21 agencies, financial institutions, Federal, State and local governments and agencies, and other persons  
22 and entities, and shall consent in writing to the release of such information to the City for use in  
23 connection with the application for approval for suitability and other City business regulations. The  
24 applicant shall also sign a release of claims and a hold harmless agreement to the City for its use of  
25 the information provided by the applicant or discovered during any investigation thereof.

26                 (C)    Each applicant for a license within the following categories shall be subject to  
27 the provisions of Subsection (D) of this Section:

28                         (1)    Adult nightclub establishment;



- 1 (2) Alcoholic beverage;
- 2 (3) Burglar alarm services;
- 3 (4) Erotic dance establishment;
- 4 (5) Gaming;
- 5 (6) Ice cream truck;
- 6 (7) Locksmith and safe mechanic;
- 7 (8) Martial arts instruction;
- 8 (9) Massage establishment;
- 9 (10) [Mobile food vendor;
- 10 (11)] Pawnbroker;
- 11 [(12)] (11) Psychic arts and science;
- 12 [(13)] (12) Reflexology;
- 13 [(14)] (13) Secondhand dealer;
- 14 [(15)] (14) Teenage dancehall or teenage nightclub; and
- 15 [(16)] (15) Wedding chapel.

16 (D) In the case of the license categories listed in Subsection (C) of this Section,  
17 applicants are required to submit to fingerprinting for purposes of a fingerprint check through the  
18 Federal Bureau of Investigation (FBI). In each such case:

19 (1) A complete set of fingerprints will be taken and will be forwarded to  
20 the Central Repository for Nevada Records of Criminal History.

21 (2) The Central Repository for Nevada Records of Criminal History is  
22 authorized to submit the fingerprints to the FBI for its report and to exchange fingerprint data with the  
23 FBI.

24 (3) The purpose for the submission of fingerprints is to allow for a State and  
25 Federal criminal records investigation regarding the applicant to determine suitability for licensing  
26 relative to the specified type of business.

27 (E) The provisions of Subsections (C) and (D) of this Section are adopted under  
28 the authority of, and consistent with, NRS 239B.010(1)(a) and Public Law 92-544, and should be read

1 and interpreted in connection therewith.

2 SECTION 10: Title 13, Chapter 32, Section 10, of the Municipal Code of the City of  
3 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

4 **13.32.010:** (A) Except as otherwise provided in this Section, [It] it shall be unlawful for any  
5 person to occupy any part or portion of any street, alley, sidewalk, sidewalk space, court, public park  
6 or grounds within the City for the purpose of keeping or maintaining any newspaper stand, drinking  
7 stand, popcorn stand, weighing machine, automatic vending machine, sandwich wagon or any stand  
8 for the sale of notions or any other article of goods, wares, or merchandise, or any similar obstructions,  
9 [except that newsracks may be permitted as provided in Chapter 13.24.]

10 (B) News racks may be permitted within sidewalk areas in accordance with LVMC  
11 Chapter 13.24.

12 (C) Ice cream trucks and mobile food vendors may vend within public rights-of-way  
13 in accordance with LVMC Chapters 6.47 and 6.55, respectively.

14 (D) Other vending activities may be approved within public rights-of-way and  
15 sidewalk areas by means of an encroachment agreement or permit, or by means of a special event  
16 permit issued pursuant to LVMC Chapter 12.02.

17 (E) Vending activities may be approved in public parks and on other public grounds  
18 by means of permit, license, or contractual arrangement.

19 SECTION 11: Table 2 of the Land Use Tables adopted in Title 19, Chapter 12, Section  
20 10, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to  
21 provide that the use “Open Air Vending/Transient Sales Lot” is a conditional use in the O Zoning  
22 District. In order to reflect the amendment, Table 2 is amended by inserting the letter “C” in the box  
23 representing the intersection of the row for the use “Open Air Vending/Transient Sales Lot” and the  
24 column for the O Zoning District.

25 SECTION 12: Title 19, Chapter 12, Section 70, of the Municipal Code of the City of  
26 Las Vegas, Nevada, 1983 Edition, is hereby amended by amending the entry for the use “Open Air  
27 Vending/Transient Sales Lot” so that the Description, Conditional Use Regulations, and On-site  
28 Parking Requirement for that use read respectively as follows:

1 **Description:** An outdoor area or lot that is used exclusively, or on a regular or periodic basis, for the  
2 sale or taking of orders for any merchandise, including food items, where:

- 3 1. Such merchandise is displayed or sold [in the open area;] within or upon the area or lot; and  
4 2. [The activity is not part of the operation of an established business; and  
5 3.] No permanent physical structures or facilities are used as integral parts of the sales or order  
6 taking operations.

7 This use includes the display or sale of merchandise [in or in connection with a truck, trailer or  
8 movable building of any type.] by means of Open Air Vending and Mobile Food Vending.

9 **Conditional Use Regulations:**

10 1. No signage, including temporary signage, is allowed, except that, in the case of [sales activity from  
11 a vehicle or cart,] Open Air Vending or Mobile Food Vending, the vehicle or [cart] portable unit may  
12 include signage which is affixed thereto[.], but only to the extent such signage is not prohibited by  
13 LVMC 19.08.120(E)(3).

14 2. The site must be kept free of any litter or debris at all times.

15 3. No structures shall be allowed within the public right-of-way.

16 4. The installation of permanent or temporary tables and chairs is prohibited.

17 5. Vehicles or portable units used in the operation may not occupy:

18 a. Required parking spaces or required drive aisles; or

19 b. Required loading zones, unless otherwise permitted under Conditional Use Regulation 8.

20 6. The vending/sales activity must be located at least 50 feet from residential development, except  
21 where the location is part of a mixed-use development.

22 7. For Open Air Vending, in addition to Conditional Use Regulations 1 through 6:

23 a. No such vending is permitted in the O (Office) Zoning District;

24 b. No such vending is permitted on undeveloped lots or developed lots with unoccupied  
25 structures or unpaved surfaces;

26 c. No such vending is permitted within landscaped areas;

27 d. A maximum of 500 square feet shall be allowed per vendor;

28 e. At a location other than the plaza area of a commercial lot, vending operations shall comply

1 with required building setbacks for that location.

2 8. For Mobile Food Vending, in addition to Conditional Use Regulations 1 through 6:

3 a. No vendor may operate on any one parcel, lot or commercial subdivision for more than 4  
4 hours within any 24-hour period;

5 b. No more than two vendors are permitted on one parcel, lot or commercial subdivision  
6 within any 24-hour period;

7 c. No vendor may operate within a required loading zone except as approved in conjunction  
8 with a Special Event Permit;

9 d. Such vending is permissible on undeveloped lots, or developed lots with unoccupied  
10 structures or unpaved surfaces, but only to the extent that such vending complies with all applicable  
11 air quality standards adopted by the Clark County Department of Air Quality and Environmental  
12 Management.

13 e. On unpaved lots, such vending is limited to a maximum disturbance area (including  
14 vehicles, parking and customer areas) of 5,000 square feet, regardless of overall lot size, unless a  
15 greater disturbance area is approved in connection with a dust mitigation permit from the Clark  
16 County Department of Air Quality and Environmental Management.

17 **On-site Parking Requirement:** No additional parking required beyond that which is required for the  
18 principal use(s) on the site.

19 SECTION 13: Title 19, Chapter 18, Section 20, of the Municipal Code of the City of  
20 Las Vegas, Nevada, 1983 Edition, is hereby amended by adding thereto, at the appropriate locations,  
21 the following terms, together with their corresponding definitions:

22 **Mobile Food Vending.** The sale of food items from a motorized vehicle.

23 **Open Air Vending.** The sale of merchandise, including food items, from a non-motorized portable  
24 unit, including a cart, stand or trailer.

25 SECTION 14: Title 19, Chapter 18, Section 20, of the Municipal Code of the City of  
26 Las Vegas, Nevada, 1983 Edition, is hereby amended by amending the definition of the term “Open  
27 Air Vending/Transient Sales Lot” to read as follows:

28 **Open Air Vending/Transient Sales Lot.** An outdoor area or lot that is used exclusively, or on a

1 regular or periodic basis, for the sale or taking of orders for any merchandise, including food items,

2 where:

- 3       1. Such merchandise is displayed or sold [in the open area;] within or upon the area or lot; and  
4       2. [The activity is not part of the operation of an established business; and  
5       3.] No permanent physical structures or facilities are used as integral parts of the sales or order  
6 taking operations.

7 The term includes the display or sale of merchandise [in or in connection with a truck, trailer or  
8 movable building of any type.] by means of Mobile Food Vending or Open Air Vending.

9               SECTION 15: For purpose of Section 2.100(3) of the City Charter, LVMC 19.12.010,  
10 19.12.070, and 19.18.020 are deemed to be subchapters rather than sections.

11              SECTION 16: If any section, subsection, subdivision, paragraph, sentence, clause or  
12 phrase in this ordinance or any part thereof is for any reason held to be unconstitutional or invalid or  
13 ineffective by any court of competent jurisdiction, such decision shall not affect the validity or  
14 effectiveness of the remaining portions of this ordinance or any part thereof. The City Council of the  
15 City of Las Vegas hereby declares that it would have passed each section, subsection, subdivision,  
16 paragraph, sentence, clause or phrase thereof irrespective of the fact that any one or more sections,  
17 subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional,  
18 invalid or ineffective.

19              SECTION 17: Whenever in this ordinance any act is prohibited or is made or declared  
20 to be unlawful or an offense or a misdemeanor, or whenever in this ordinance the doing of any act is  
21 required or the failure to do any act is made or declared to be unlawful or an offense or a  
22 misdemeanor, the doing of such prohibited act or the failure to do any such required act shall  
23 constitute a misdemeanor and upon conviction thereof, shall be punished by a fine of not more than  
24 \$1,000.00 or by imprisonment for a term of not more than six months, or by any combination of such  
25 fine and imprisonment. Any day of any violation of this ordinance shall constitute a separate offense.

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SECTION 18: All ordinances or parts of ordinances or sections, subsections, phrases, sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, in conflict herewith are hereby repealed.

PASSED, ADOPTED and APPROVED this \_\_\_\_ day of \_\_\_\_\_, 2012.

APPROVED:

By \_\_\_\_\_  
CAROLYN G. GOODMAN, Mayor

ATTEST:

\_\_\_\_\_  
BEVERLY K. BRIDGES, MMC  
City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Date

1 The above and foregoing ordinance was first proposed and read by title to the City Council on the  
2 \_\_\_\_ day of \_\_\_\_\_, 2012, and referred to a committee for recommendation, the  
3 committee being composed of the following members \_\_\_\_\_  
4 \_\_\_\_\_; thereafter the said committee reported favorably on said ordinance on the  
5 \_\_\_\_ day of \_\_\_\_\_, 2012, which was a \_\_\_\_\_ meeting of said  
6 Council; that at said \_\_\_\_\_ meeting, the proposed ordinance was read by title  
7 to the City Council as first introduced and adopted by the following vote:

8 VOTING "AYE": \_\_\_\_\_

9 VOTING "NAY": \_\_\_\_\_

10 ABSENT: \_\_\_\_\_

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12 APPROVED:

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14 By \_\_\_\_\_  
CAROLYN G. GOODMAN, Mayor

15 ATTEST:

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17 BEVERLY K. BRIDGES, MMC  
City Clerk

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